

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMO DEVELOPMENT, LLC,)
AMO MANUFACTURING USA, LLC,)
and AMO SALES AND SERVICE,)
INC.,)
)
Plaintiffs,)
)
)
v.) C.A. No. 20-842-CFC-JLH
)
ALCON VISION, LLC, ALCON)
LABORATORIES, INC., and ALCON)
RESEARCH, LLC,)
)
Defendants.)
)

ALCON, INC., ALCON RESEARCH,)
LLC and ALCON VISION, LLC,)
)
Counterclaim Plaintiffs,)
)
)
v.)
)
AMO DEVELOPMENT, LLC,)
AMO MANUFACTURING USA, LLC,)
AMO SALES AND SERVICE, INC.)
and JOHNSON & JOHNSON)
SURGICAL VISION, INC.,)
)
Counterclaim Defendants.)
)

**ALCON'S MOTION FOR SUMMARY JUDGMENT (NO. 3) THAT
LACHES BARS J&J'S CLAIM FOR DISGORGELEMENT**

Pursuant to Federal Rule of Civil Procedure 56, Defendants Alcon Vision, LLC, Alcon Laboratories, Inc., and Alcon Research, LLC (“Alcon”) respectfully move for summary judgment on Plaintiffs AMO Development, LLC, AMO Manufacturing USA, LLC, and AMO Sales and Service, Inc.’s (“J&J”) claim for disgorgement, on the grounds that that claim is barred by the doctrine of laches. The grounds for this motion are fully set forth in Alcon’s Brief in Support of its Motion for Summary Judgment (No. 3) That Laches Bars J&J’s Claim for Disgorgement, and a proposed order is attached hereto.

WHEREFORE, Alcon respectfully requests that the Court grant this Motion and enter the proposed order attached hereto.

Respectfully submitted,

/s/ Andrew E. Russell

John W. Shaw (No. 3362)

Karen E. Keller (No. 4489)

Andrew E. Russell (No. 5382)

Nathan R. Hoeschen (No. 6232)

SHAW KELLER LLP

I.M. Pei Building

1105 North Market Street, 12th Floor
Wilmington, DE 19801

(302) 298-0700

jshaw@shawkeller.com

kkeller@shawkeller.com

arussell@shawkeller.com

nhoeschen@shawkeller.com

Attorneys for Alcon Inc.,

Alcon Vision, LLC,

Alcon Laboratories, Inc. and

Alcon Research, LLC

Joshua L. Simmons
KIRKLAND & ELLIS LLP
601 Lexington Ave
New York, NY 10022
(212) 390-4573

Caroline Lourgos
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
(312) 862-2000

Kristen P.L. Reichenbach
KIRKLAND & ELLIS LLP
555 California Street
San Francisco, CA 94104
(415) 439-1400

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CERTIFICATE OF SERVICE

I, Andrew E. Russell, hereby certify that on August 19, 2022, this document was served on the persons listed below in the manner indicated:

BY EMAIL

Jack B. Blumenfeld

Brian P. Egan

MORRIS, NICHOLS, ARSHT

& TUNNELL LLP

1201 North Market Street

P.O. Box 1347

Wilmington, DE 19899

(302) 658-9200

jblumenfeld@mnat.com

began@mnat.com

Roger J. Chin

Allison Harms

Joseph R. Wetzel

LATHAM & WATKINS LLP

505 Montgomery Street, Suite 2000

San Francisco, CA 94111

(415) 491-0600

roger.chin@lw.com

allison.harms@lw.com

joe.wetzel@lw.com

P. Anthony Sammi

Rachel Renee Blitzer

LATHAM & WATKINS LLP

1271 Avenue of the Americas

New York, NY 10020

(212) 906-1200

tony.sammi@lw.com

Michael A. Morin

Matthew J. Moore

Rachel Weiner Cohen

Sarang V. Damle

Holly K. Victorson

Carolyn M. Homer

Susan Y. Tull

LATHAM & WATKINS LLP

555 Eleventh Street, NW, Suite 1000

Washington, DC 20004

(202) 637-2200

michael.morin@lw.com

matthew.moore@lw.com

rachel.cohen@lw.com

sy.damle@lw.com

holly.victorson@lw.com

carolyn.homer@lw.com

susan.tull@lw.com

S.Giri Pathmanaban

LATHAM & WATKINS LLP

140 Scott Drive

Menlo Park, CA 94025

(650) 328-4600

giri.pathmanaban@lw.com

Aaron Macris

LATHAM & WATKINS LLP

200 Clarendon Street

Boston, MA 02116

(617) 948-6000

aaron.marcris@lw.com

/s/ Andrew E. Russell

John W. Shaw (No. 3362)

Karen E. Keller (No. 4489)

Andrew E. Russell (No. 5382)

Nathan R. Hoeschen (No. 6232)

SHAW KELLER LLP

I.M. Pei Building

1105 North Market Street, 12th Floor

Wilmington, DE 19801

(302) 298-0700

jshaw@shawkeller.com

kkeller@shawkeller.com

arussell@shawkeller.com

nhoeschen@shawkeller.com

Attorneys for Defendants